

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case 4:89CR00167 JCH
)
EDWARD JAMES CLARY,)
)
Defendant.)

The defendant is before the undersigned on a warrant for his arrest issued on September 29, 2003, on order of the Honorable Jean C. Hamilton, United States District Judge. The order was issued on the petition of a United States Probation Officer, and alleged that the defendant violated conditions of supervised release imposed by the Court. The defendant was arrested on this warrant on February 12, 2004, and had his initial appearance before the undersigned on that date. A preliminary supervised release revocation hearing and hearing on detention were set for February 17, 2004.

On February 17, 2004, the defendant appeared with his attorney, N. Scott Rosenblum. The government appeared by Assistant United States Attorney Thomas J. Mehan. After conferring with his counsel and being advised by the Court of his legal right to a preliminary supervised release revocation hearing, defendant knowingly and voluntarily waived his right to a preliminary hearing, both orally and in writing, and agreed to be bound over for the final supervised release revocation hearing scheduled for February 20, 2004.

The defendant also voluntarily waived his right to a bond hearing and did not contest the government's motion for pretrial detention. The Court further notes that the defendant has been ordered detained in another federal case and is not currently eligible for release. For the reasons set forth in the Pretrial Services Report dated February 12, 2004, and based further on the defendant's waiver, the undersigned finds that there is no condition or combination of conditions that would reasonably assure the defendant's appearance and the safety of the community, and the undersigned therefore orders that the defendant be detained pending a final supervised release revocation hearing.

THEREFORE, IT IS HEREBY ORDERED that the defendant be held to appear for a final supervised release revocation hearing on **Friday, February 20, 2004, at 9:00 a.m.**, before the Honorable Jean C. Hamilton.

IT IS FURTHER ORDERED that the defendant shall remain in the custody of the United States Marshal pending the final revocation hearing in this matter.



AUDREY G. FLEISSIG
United States Magistrate Judge

Dated this 17th day of February, 2004.